

Assembly Concurrent Resolution No. 228

RESOLUTION CHAPTER 135

Assembly Concurrent Resolution No. 228—Relative to video and computer games.

[Filed with Secretary of State August 9, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

ACR 228, Chavez. Video and computer games: rating system.

This measure would resolve that the Entertainment Software Rating Board (ESRB) should carefully consider the content of video and computer games, and that its ratings should reflect content that allows participants to virtually commit realistic acts of violence. The measure would urge the video and computer game industry and its retail partners to make efforts to educate consumers about the availability of the ESRB rating system, and would urge retailers to utilize the rating system. The measure would also urge community groups, statewide advocacy groups, and the media to promote and educate consumers about the rating system.

WHEREAS, Ninety-two percent of children between 2 and 17 years of age play video or computer games; and

WHEREAS, An increasing number of video and computer games in the retail marketplace allow the player to use an interactive device to virtually commit realistic and serious criminal acts, including killing police officers, maiming elderly persons, running over pedestrians, and committing despicable acts of murder and torture upon women and racial minorities; and

WHEREAS, According to the public health community, including the American Academy of Pediatrics, the American Psychological Association, the American Academy of Child and Adolescent Psychiatry, the American Medical Association, the American Academy of Family Physicians, and the American Psychiatric Association, numerous studies “point overwhelmingly to a causal connection between media violence and aggressive behavior in some children” and it has concluded “based on over 30 years of research that viewing entertainment violence can lead to increases in aggressive attitudes, values, and behavior, particularly in children”; and

WHEREAS, The Entertainment Software Rating Board (ESRB), established in 1994, is a self-regulatory organization that independently



rates all entertainment software, including video and computer games; and

WHEREAS, The ESRB rating system provides age-based ratings and content information where warranted for virtually every video and computer game produced and distributed in the United States, and through an advertising code requires the display of these ratings on all game packaging and marketing materials; and

WHEREAS, Games rated “M” for Mature by the ESRB may contain mature sexual themes, intense violence, or strong language and may not be suitable for persons under 17 years of age; and

WHEREAS, Games rated “AO” for Adults Only by the ESRB may contain graphic depictions of sex or violence that is not suitable for persons under 18 years of age; and

WHEREAS, Major retailers accounting for over 90 percent of all video game sales in the United States have embraced the ESRB rating system and have committed themselves to not sell Mature rated video games to persons under 17 years of age, and to not sell Adults Only rated video games to persons under 18 years of age; and

WHEREAS, Efforts to educate consumers about the ESRB rating system and efforts to increase enforcement of the ESRB Mature and Adults Only ratings at point-of-sale should be increased in California to ensure that consumers can make educated choices about the video and computer games that they rent and purchase, and to ensure that store enforcement policies are effective; and

WHEREAS, Efforts to educate consumers about the ESRB rating system and efforts to increase enforcement of ESRB Mature and Adults Only ratings at point-of-sale should be fully utilized by retailers of video and computer games in California to assist parents in choosing the video and computer games to which their children have access; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the ESRB carefully consider, for rating purposes, the content of the video and computer games that it reviews and that accurate ratings be assigned to games, reflective of content that allows participants to virtually commit realistic and sometimes graphic acts of violence against characters in video and computer games; and be it further

Resolved, That the Legislature urges the video and computer game industry and its retail partners to make every effort to educate consumers about the availability of the ESRB rating system to aid in the selection of video and computer games; and be it further

Resolved, That retailers of video and computer games should fully embrace and utilize the ESRB rating system and refuse to sell, rent,



exhibit, or distribute “Mature” rated games to minors without prior parental consent; and be it further

Resolved, That retailers of video and computer games should refuse to sell, rent, exhibit, or distribute “Adults Only” rated games to minors; and be it further

Resolved, That the Legislature urges community groups, statewide advocacy groups, and the media to work collaboratively with the ESRB to promote the rating system and educate consumers about the use of the rating system, including distributing ESRB educational material and airing and publishing public service announcements in local and national media; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the California Retailers Association, the Entertainment Software Association, the Interactive Entertainment Merchants Association, the International Game Developers Association, the Video Software Dealers Association, the Entertainment Software Ratings Board, and to the author for appropriate distribution.

